

Message Text

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PAGE 01 MEXICO 03900 120137Z

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ACTION ARA-20

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FM AMEMBASSY MEXICO

TO AMERICAN BATTLE MOUNUMENTS COMMISSION WASHDC

INFO SECSTATE WASHDC 1607

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E.O. 11652 N/A

TAGS: OGEN, MX

SUBJECT: AMERICAN CEMETARY DEVELOPMENTS

REF: MEXICO 3763

1. DURING MEETING WITH FOREIGN SECRETARIAT DIRECTOR-IN-CHIEF ROSENZWEIG-DIAZ (WHO SAT IN FOR UNDERSECRETARY GALLASTEGUI WHEN HE WAS CALLED TO MEETING WITH PRESIDENT ECHEVERRIA) ON MAY 9, WE WERE GIVEN A MEMORANDUM SETTING FORTH GOM POSITION ON CEMETERY ISSUE IN MORE OR LESS SKELETAL FORM. WE ARE REPEATING ROSENZWEIG-DIAZ'S REMARKS AND SUMMARY OF AMBASSADOR'S CONVERSATION WITH HIM BY SEPARATE MESSAGE; HERewith THE EMBASSY'S INFORMAL TRANSLATION OF THE MEMORANDUM:

"SUBJECT: AMERICAN CEMETERY AT TLAXPANA."

"1. THE ROAD WORKS BEING CARRIED OUT BY THE DEPARMENT OF THE FEDERAL DISTRICT ON RIO CONSULADO AVENUE (FOR THE CONSTRUCTION OF THE "INNER CIRCUIT") AFFECT THE AMERICAN CEMETERY AT TLAXPANA (SEE MAP).

2. THE CEMETERY IS ESTABLISHED ON A SITE WHICH THE GOVERNMENT OF THE UNITED STATES OF AMERICA, THROUGH THE MEDIUM OF MR. GEORGE G. GOSS, ACQUIRED FROM A PRIVATE PERSON THROUGH A CONTRACT OF SALE DATED ON JUNE 26, 1851.

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PAGE 02 MEXICO 03900 120137Z

3. PRIOR TO THE ABOVE, THE CHARGE' D'AFFAIRES OF THE UNITED STATES, MR. BUCKINGHAM SMITH, HAD ADDRESSED THE MINISTER FOR INTERIOR AND FOREIGN RELATIONS, IN A NOTE DATED MARCH 28, 1851, TO REQUEST THAT PROMPT MEASURES BE TAKEN TO PROVIDE THE UNITED STATES WITH THE RIGHT TO HOLD PROPERTY PURCHASED FOR BURIAL OF ITS DEAD. THE MINISTER OF INTERIOR AND FOREIGN RELATIONS REPLIED, IN A NOTE DATED JUNE 11, 1851, THAT "THE SUPREME GOVERNMENT HAD NO OBJECTION TO THE ESTABLISHMENT OF A CEMETERY IN THIS CITY FOR BURIAL OF AMERICAN CITIZENS DYING THEREIN", ADDING THAT THE CHARGE' D'AFFAIRES COULD COME TO AN AGREEMENT WITH THE GOVERNOR OF THE DISTRICT "IN ORDER THAT THE CEMETERY MIGHT HAVE ALL HYGIENIC AND POLICE PRECAUTIONS REQUIRED FOR THE WELLBEING OF THE POPULATION". (THE ARCHIVES OF THE DEPARTMENT OF THE FEDERAL DISTRICT CONTAIN NO WRITTEN RECORD THAT THE LEGATION OF THE UNITED STATES TOOK THE NECESSARY STEPS FOR COMPLIANCE WITH MUNICIPAL REGULATIONS.)

4. IT SHOULD BE RECALLED THAT CONCESSIONS GRANTED BY THE GOVERNMENT OF MEXICO DURING THE FIRST PART OF THE LAST CENTURY TO THE GOVERNMENTS OF GREAT BRITAIN AND THE UNITED STATES FOR THE ESTABLISHMENT OF SPECIAL CEMETERIES WAS DUE TO THE LACK OF RELIGIOUS TOLERANCE WHICH THEN EXISTED ON THE PART OF OUR INSTITUTIONS THUS MAKING THESE CONCESSIONS NECESSARY SO THAT THOSE FOREIGNERS WHO DID NOT BELONG TO THE CATHOLIC FAITH MIGHT BE DECENTLY BURIED.

5. IT IS KNOWN, ON THE OTHER HAND, THAT THE GOVERNMENT OF THE UNITED STATES OF AMERICA DECIDED UNILATERALLY TO GIVE A MILITARY CHARACTER TO THE CEMETERY WHICH IT HAD RECEIVED THE RIGHT TO ESTABLISH AND TO TRANSFER TO IT THE REMAINS OF 750 SOLDIERS WHO DIED IN COMBAT DURING THE YEAR 1847. AT THE PRESENT TIME THE CEMETERY IS A DEPENDENCY OF THE "AMERICAN BATTLE MONUMENTS COMMISSION". NO BURIALS HAVE BEEN MADE THERE SINCE THE YEAR 1924 IN VIEW OF THE FACT THAT THE AMERICAN GOVERNMENT ACCEDED TO A REQUEST MADE OF IT BY THE DEPARTMENT OF HEALTH, THROUGH THE CONDUCT OF THE SECRETARIAT OF FOREIGN RELATIONS, THAT NO NEW BURIALS BE PERMITTED THERE.

6. AS INDICATED ABOVE, IT IS NECESSARY TO AFFECT THE CEMETERY IN ORDER TO CONTINUE THE WORKS OF THE INNER CIRCUIT WHICH WILL ALLEVIATE SERIOUS TRAFFIC PROBLEMS IN MEXICO CITY. FURTHERMORE, LIMITED OFFICIAL USE

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PAGE 03 MEXICO 03900 120137Z

THE RESOLUTION OF THIS PROBLEM IS URGENT SINCE THE RAINY SEASON IS ABOUT TO BEGIN AND BEFORE IT BEGINS, IT IS NECESSARY TO CARRY OUT THE WORKS OF RELOCATING THE RIO CONSULADO.

7. THE PROPERTY WHICH IS UNDER DISCUSSION IS SUBJECT IN EVERY WAY TO THE JURISDICTION AND THE LAWS OF THE REPUBLIC.

8. IN VIEW OF THE FRIENDLY RELATIONS WHICH EXIST WITH THE

GOVERNMENT OF THE UNITED STATES OF AMERICA, THAT OF MEXICO HAS WISHED TO REACH AN AGREEMENT REGARDING CESSION OF THE LOT TO THE DEPARTMENT OF THE FEDERAL DISTRICT AND TO THIS EFFECT, SUB-SECRETARY GALLASTEGUI COMMUNICATED TO AMBASSADOR JOVA THE WILLINGNESS OF THE MEXICO CITY AUTHORITIES TO PURCHASE ALL OF THE LAND AT A JUST PRICE, EVEN THOUGH ITS OBLIGATION WOULD NORMALLY BE LIMITED TO THE PAYMENT OF AN INDEMNITY FOR THE AFFECTED AREA, WHICH, IN THIS CASE, IS LESS THAN HALF THE LOT.

9. THE OBSTACLE WHICH HAS ARISEN TO PREVENT PROMPT DELIVERY OF THE PROPERTY HAS NOT BEEN DUE APPARENTLY TO THE QUESTION OF THE PRICE BUT RATHER THAT RELATIVE TO THE DISPOSITION TO BE MADE OF THE MORTAL REMAINS WHICH ARE FOUND IT IT. IT IS UNDERSTOOD THAT THE AMERICAN BATTLE MONUMENTS COMMISSION IS RELUCTANT TO HAVE THE MILITARY CEMETERY WHICH HAS BEEN UNDER ITS CARE DISAPPEAR. THIS IS AN INTERNAL PROBLEM OF THE GOVERNMENT OF THE UNITED STATES FOR THE REASONS SET FORTH IN PARAGRAPHS 3 AND 5 OF THIS MEMORANDUM.

10. THE PROBLEM RELATING TO THE MORTAL REMAINS CAN FIND AN EASY SOLUTION THROUGH THEIR TRANSFER TO THE AMERICAN CIVIL CEMETERY WHICH EXISTS ON THE MEXICO-TUCUBA HIGHWAY (ESTABLISHED IN 1908 BY THE AMERICAN BENEVOLENT SOCIETY) OR, AS A LAST RESORT, TO A NEW CEMETERY WHICH WOULD BE BUILT BY THE SAME SOCIETY OR BY ANOTHER CIVIL ASSOCIATION CONSTITUTED IN CONFORMITY WITH MEXICAN LAWS.

11. THE DEPARTMENT OF THE FEDERAL DISTRICT IS DISPOSED TO PROVIDE THE NECESSARY FACILITIES.

TLATELOLOC, D.F., MAY 9, 1974.

2. ORIGINAL OF MEMORANDUM FOLLOWS BY POUCH TO MEXICAN DESK.
(ARA/MEX).

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